

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

940E0750

HOUSE JUDICIARY COMMITTEE ENGROSSED NO.

HB 1274 - 02/07/2001

Introduced by: Representatives Broderick, Abdallah, Brown (Richard), Garnos, Heineman, Hennies (Thomas), Jaspers, Michels, and Murschel and Senators Sutton (Dan), Daugaard, de Hueck, Everist, and Symens

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the operation of child
2 welfare agencies and registered and unregistered family day care homes.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 26-6-14.10 be amended to read as follows:

5 26-6-14.10. No person who has been convicted of child abuse pursuant to chapter 26-10 or
6 a sex offense pursuant to chapter 22-22 and no person whose name appears on the central
7 registry for child abuse and neglect may:

8 (1) Be licensed to operate a child welfare agency pursuant to § 26-6-14;

9 (2) Be registered to operate a family day care home pursuant to § 26-6-14.2; or

10 (3) Operate an unregistered family day care home as defined in § 26-6-14.8.

11 Section 2. That § 26-6-14.11 be amended to read as follows:

12 26-6-14.11. Any person who has been convicted of child abuse pursuant to chapter 26-10
13 or a sex offense pursuant to chapter 22-22 ~~and who provides~~ or whose name appears on the
14 central registry for child abuse and neglect is guilty of a Class 1 misdemeanor if such person:

- 1 (1) Provides care and supervision of children either in a day care center or any family day
2 care home ~~or who knowingly;~~ or
- 3 (2) Permits another person ~~who~~ knowing that person has been convicted of child abuse
4 pursuant to chapter 26-10 or a sex offense pursuant to chapter 22-22 or whose name
5 appears on the central registry for child abuse and neglect to reside or work on the
6 premises of a day care center or any family day care home ~~is guilty of a Class 1~~
7 misdemeanor.